

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF RHODE ISLAND

IN RE: Charles S. Phelps, Jr.

CHAPTER 13  
CASE NO. 17-10759

Debtor(s)

1st [indicate 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, etc.]

**AMENDED CHAPTER 13 PLAN AND APPLICABLE MOTIONS DESIGNATED BELOW:**

This amended plan: ☐ Does adversely affect creditors  
☒ Does *not* adversely affect creditors

Check for motions applicable to this plan amendment:

- ( ) Motion to Avoid Lien(s)  
( ) Motion to Modify Secured Claim(s)  
( ) Motion to Assume/Reject Lease(s)  
(x) No motions applicable to this plan amendment

On n/a, Debtor's original Chapter 13 plan was confirmed. If applicable,  
[date confirmed]  
further amendments were made on n/a [dates of later amendments] **and the substance of all prior amendments is also listed below.**

This Amended Chapter 13 Plan, including certain motions and other provisions, is hereby **amended** as follows (**list all new and prior amendments with dates**):

The monthly payment has been modified to correctly reflect the amount of charitable donations, made by Debtor in 2017, prorata. Chapter 13 Plan payments have increased to \$755.57.

Amendments have been filed to accurately reflect Debtors circumstances.

Any federal tax refund Debtor receives in the next five (5) years of the Chapter 13 Plan will be surrendered to the Chapter 13 Trustee.

**TAKE NOTICE: Your rights may be affected. You should read this amendment to the Chapter 13 Plan carefully, including any motions contained therein, and discuss them with your attorney, if you have one, in this bankruptcy case. If you do not have an attorney, you may wish to consult one.**

If you object to the confirmation of the proposed plan of the debtor(s) as amended, including any of the motions included therein, then you or your attorney must file with the Court a written objection to confirmation and/or to the motions contained therein at the following address:

Clerk, U.S. Bankruptcy Court, 380 Westminster St., Providence, R.I., 02903

/s/ Charles S. Phelps, Jr.  
*Charles Phelps*

**OBJECTIONS:** Your objection to confirmation and/or to the motions contained in the plan must include the specific reasons for your objection, **and must be filed with the Court no later than seven (7) days before the confirmation hearing.**

If you mail your objection to confirmation to the Court for filing, you must mail it early enough so that the Court will receive it on or before the deadlines stated above. You must also serve a copy of your objection to confirmation, and any applicable motions contained therein, on the debtor(s), the attorney for the debtor(s), and the Chapter 13 trustee at their addresses as they are listed in the notice of the meeting of creditors.

If you or your attorney does not take these steps, the Court may decide that you do not oppose the proposed plan of the debtor(s) as amended, including any motions contained therein, and may enter an order confirming the amended plan and granting the motions. **Any creditor's failure to timely object to confirmation of the proposed plan as amended shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. Section 1325(a)(5)(A).**

#### PLAN SERVICE AND SIGNATURES:

Pursuant to the R.I. LBR 3015-1(b), the Debtor or his/her counsel is required to serve a copy of the **amended** Chapter 13 Plan upon the Chapter 13 Trustee, all creditors and interested parties, and to file a certificate of service accordingly. In addition, if the Debtor has included a Motion to Modify Secured Claim and/or a Motion to Avoid Lien in this **amended** plan, the Debtor must also comply with the service requirements contained in R.I. LBR's 3015-1(c)(1) and 4003-2. **Debtor is also required to attach the original filed plan within the Amended Plan filing event in ECF.**

I/We declare under penalty of perjury that the information provided in the Amended Chapter 13 Plan, including any applicable Motion(s) to Modify Secured Claim(s); Motion(s) to Avoid Certain Lien(s); and Motion(s) for Assumption and Rejection of Executory Contracts and Unexpired Lease(s), as to all matters set forth herein, are true and correct to the best of our knowledge and belief:

Dated 7/11/17 Charles S. Phelps, Jr.  
Debtor's Signature /s/ Charles S. Phelps, Jr.

Dated \_\_\_\_\_  
Debtor's Signature

I hereby certify that I have reviewed this document with the debtor(s) and that the debtor(s) have received a copy of this document.

Dated 7/11/17 Paul F. Waldman, Esq.  
Attorney for the Debtor /s/ Paul F. Waldman, Esq.

**ADMINISTRATIVE GENERAL ORDER—FORM B**

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF RHODE ISLAND

-----\*

In re: Charles S. Phelps, Jr.

Debtor(s)

-----\*

BK No. 17-10759

Chapter 13

**CERTIFICATION OF SERVICE**

I, hereby certify that on **July 13, 2017**, I electronically filed an **Amended Chapter 13 Plan** with the Clerk of the Bankruptcy Court for the District of Rhode Island using the CM/ECF System. The following participants have received notice electronically: US Trustee; Case Trustee John Boyajian, Esq.

Please refer to the attached creditor mailing labels to see the parties who were notified via regular mail.

/s/ Paul F. Waldman  
PAUL F. WALDMAN, ESQ (# 984)  
1536 Westminster Street  
Providence, RI 02909  
(401) 213-0051

Label Matrix for local noticing

0103-1

Case 1:17-bk-10759

District of Rhode Island

Providence

Thu Jul 13 13:59:07 EDT 2017

Charles S. Phelps Jr.

37 Cedar Pond Drive

Apartment 3

Warwick, RI 02886-0873

Citizens Bank N.A.

1 Citizens Drive Mailstop ROP15B

Riverside, RI 02915-3019

R.I. Division of Taxation

One Capitol Hill

Providence, RI 02908-5800

John Boyajian +

PO Box 2561

Providence, RI 02906-0561

Gary L. Donahue +

Office of the U.S. Trustee

U.S. Courthouse

One Exchange Terrace Suite 431

Providence, RI 02903-1744

(p) INTERNAL REVENUE SERVICE

CENTRALIZED INSOLVENCY OPERATIONS

PO BOX 7346

PHILADELPHIA PA 19101-7346

State of RI - Labor and Training

Legal Department

Bldg 72 3rd Floor

1511 Pontiac Avenue

Cranston, RI 02920-4407

Korde &amp; Associates, P.C.

900 Chelmsford Street

Suite 3102

Lowell MA 01851-8102

Richmond-Carolina Fire

208 Richmond Townhouse Rd.

Carolina, RI 02812-1038

Paul F. Waldman +

1536 Westminster Street

Providence, RI 02909-1602

Page 4 of 4

Internal Revenue Service

PO Box 7346

Philadelphia, PA 19101-7346

Citizens Bank

One Citizens Dr.

Mailstop ROP15B

Riverside, RI 02915-3019

PHH Mortgage Services

PO Box 371458

Pittsburgh PA 15250-7458

Royal Crest Apartments

42 Cedar Pond Drive

Warwick RI 02886-6660

Catherine V. Eastwood +

Korde &amp; Associates, PC

900 Chelmsford Street

Suite 3102

Lowell, MA 01851-8102

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Internal Revenue Service  
Insolvency Unit - 4th Floor  
380 Westminster Street  
Providence, RI 02903

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)HSBC Bank USA, National Association

End of Label Matrix

Mailable recipients 15

Bypassed recipients 1

Total 16